

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Dec 4, 2014

Action Requested By: Legal

Agenda Type: Resolution

Subject Matter:

Acceptance of donation from Sealy Property Development.

Exact Wording for the Agenda:

Resolution accepting donation of real property.

Note: If amendment, Please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: Yes

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost: _____

Budgeted Item: Not Applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head:  _____

Date: 12-3-14

RESOLUTION NO. 14-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the donation of the real property described in that certain deed from Sealy Property Development LLC, to the City of Huntsville, Alabama, attached hereto, is formally accepted by the City of Huntsville, Alabama, into its maintenance program.

ADOPTED this the 4th day of December, 2014.

President of the City Council of the
City of Huntsville, Alabama

APPROVED this the 4th day of December, 2014.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA

§

§ ss.

MADISON COUNTY

§

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that, as a gift, Sealy Property Development, LLC, an Alabama limited liability company ("Grantor"), does hereby grant, bargain, sell and convey to the City of Huntsville, Alabama, a municipal corporation in the State of Alabama ("Grantee"), that certain real property (the "Premises") situated in Madison County, Alabama more particularly described or shown on Exhibit "A", attached hereto and incorporated by this reference, together with all and singular the tenements, hereditaments, and appurtenances, thereto or in any wise appertaining and the reversion or the reversions, remainder or remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, dower and the right of dower, property, possession, claim and demand whatsoever, as well in law as in equity of the Grantor, of, in, and to the Premises and every parcel thereof.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described Premises, together with the appurtenances, unto Grantee, its successors or assigns.

Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, except as limited herein, that Grantor is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted herein, that Grantor has a good right to sell and convey the same aforesaid, and that Grantor will, and its successors and assigns shall, warrant and defend the same to Grantee, its successors and assigns, forever against the lawful claims of all persons, except as limited herein.

[THE REST OF THIS PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed in its name and on its behalf on this the ____ day of _____, 2014.

SEALY PROPERTY DEVELOPMENT, LLC

By: Charlie O. Sealy, III
Charlie O. Sealy, III
Its Manager

STATE OF ALABAMA §
 § ss.
MADISON COUNTY §

I, the undersigned authority, a notary public in and for the State of Alabama at Large, hereby certify that Charlie O. Sealy, III, whose name as Manager of Sealy Property Development, LLC, a limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such representative and with full authority, executed the same voluntarily for and as the act of said company.

GIVEN under my hand and official seal this the 3rd day of Dec., 2014.

Cindy R. [Signature]
Notary Public

My Commission Expires: **MY COMMISSION
EXPIRES 6-17-2017**

This Document Prepared By:
J. Marland Hayes
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Exhibit "A"

Description of Premises

All that part of Block 301 according to the plat of the Quigley Map of the City of Huntsville, Alabama, as on file in the Tax Assessor's Office of Madison County, Alabama, more particularly described as commencing at the Northeast corner of Lot 29, of said Block 301. Said beginning point is further described as being on the West right of way of Jefferson Street; thence South 58 degrees 11 minutes 44 seconds West 226.85 feet to the point of beginning; thence from the point of beginning, South 58 degrees 11 minutes 44 seconds West a distance of 69.80 feet to a point on the East right of way of Spragins Street; thence along the said East right of way, North 28 degrees 35 minutes 18 seconds West a distance of 127.36 feet to a point; thence leaving said right of way, North 63 degrees 07 minutes 09 seconds East a distance of 69.66 feet to a point; thence South 28 degrees 37 minutes 01 seconds East a distance of 121.37 feet to the point of beginning.